

LOG OF MEETING

OFFICE OF COMPLIANCE

CPSC 6 (B)(1) Cleared
Products Identified
Excepted by
Firms Notified
Comments Processed
JUN 19 1997

Subject: Serious Problems of Compliance with the general wearing apparel flammability standard.

Date of Meeting: June 4, 1997 Place: Room 410 East West Towers

Log of Entry Source: Marilyn Borsari, Compliance Officer, CRM

Date of Entry: June 9, 1997

Commission Attendees: See Attached List

Non-Commission Attendees: See Attached List

Summary of Meeting: The meeting was requested by CPSC to discuss serious problems of compliance with the general wearing apparel flammability standard involving fleece, chenille and other suspect fabrics.

1. David Schmeltzer, CPSC Assistant Executive Director, provided opening remarks which summarized the history of the standard, the minimal flammability protection provided by the standard, and a summary of the types of fabrics involved in the over 1 million garments CPSC has recalled since 1994. Mr. Schmeltzer also indicated that two years ago (3/15/95) we met with this industry after recalls of 400,000 garments to make sure this did not continue. We now have another 760,000 garments that have been recalled since that meeting. He also noted that two months ago (March 25, 1997) the CPSC held a meeting with this industry and manufacturers regarding the increased number of non-complying garments. At this meeting, it was suggested that CPSC meet with retailers to discuss the problems.

2. Pat Fairall, CPSC, discussed the concept of a voluntary program developed by CPSC and the industry which would help assure that garments sold in the United States are in compliance with flammability regulations. Components of such a program might include: 1) establish compliance with flammability requirements as a corporate priority, 2) educate buyers on flammability standards and the Flammable Fabrics Act, and 3) exercise greater control and care when purchasing or producing garments made from borderline fabrics. In return for meeting requirements, retailers would be listed on CPSC's Internet site as a participating firm, and would not be as likely to receive a Civil Penalty fine, if a class 3 failure is detected. This program would be similar to the Department of Labor's "No Sweat" Program.

3. Frances Valdez Valdez, JC Penney's, indicated that they currently follow the requirements that we suggested in our letter to retailers. Specifically, she stated that Penney's sends specifications to manufacturers, require passing test results, sell only Class 1 products, and depend on Guarantees from suppliers. Since they currently do these things, what more could they do to assure compliance? David Schmeltzer replied that they should verify test results or review test reports provided by suppliers.

4. Mike Lemov, NRF, indicated that the problem is narrowly focused on certain fabrics. He stated that manufacturers should have primary responsibility for complying with regulations. He indicated that the variability in test is an issue, and our plan would be a burden for small firms. Most NRF members do not sell class 2 products. He also stated that a "list of participating members" might not be the best approach for fear of bad publicity if a firm slipped off the list.

5. Harvey Fox, Siegel, Mandell & Davidson, indicated that it might be possible to use customs laws which would require importers to certify that their products met our standard.

6. David Schmeltzer asked for volunteers to work on a Task Force to study the idea of a program designed to help eliminate the sale of dangerously flammable garments in this country. A number of attendees expressed an interest in being members of this Task Force.

7. A conference call for Task Force members is scheduled for June 12, 1997, at 11:00 AM EST.

Distribution:

OS(2)

EXHR

EX

OGC

EXC

Date:

June 4, 1997

Time:

10:00 am

Subject:

General Wearing Apparel Flammability

Location:

CPSC Headquarters - Rm 410

Name

Company

Phone

Patricia Fairall

U.S. Consumer Product Safety Comm

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NORDSTROM

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Paul J. Kangas

The TJX Cos., Inc.

508-390-2651

Pradip V. Mehta

ARMY & AIR FORCE EXCHANGE
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214-312-2710

Tom DeWos

TODS R US

201 599 7564

Beth Ann Seltman

KIDS R US

201-599 7898

Paul J. Sankuske

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(TARGET)

612-304-8434

Gene Link

TARGET STORES

612-304-5616

Thomas S. Lowe

MORGAN MILLS

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MOE CAIN

INTL MASS RETAIL EX

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Harvey Fox

Siegel, Mandell & Davidson

202-434-6728

Herb Lynch

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Barry Hurewitz

Hale and Dorr LLP

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Date:

June 4, 1997

Time:

10:00 am

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Subject:

General Wearing Apparel Flammability

Location:

CPSC Headquarters - Rm 410

Name	Company	Phone
Trevor Dean	BJS Wholesale Club	508-651-6252
Karen Clyde	Dots	216-349-7046
Richard Kod	JCPenney	972-431-9805
GREGORY POOLE	GAP, Inc.	415 427 6492
STACE HAIGNEY	Burlington Coat Factory	202-862-0518
KAY VILLA	ATMI	202-862-0502
Shannon Mettimano	" "	202-223-6270
NANCY HORIYE	STEIN SHOSTAK SHOSTAK O'HARA	202-462-7872
Weg Farrage	ImRA	202-639-6910
Jennifer Owens	Women's Wear Daily	301 504-0400 X1370
Marilyn Borsari	CPSC	202-371-5700
Michael Lemov	Winston + Strawn for NRF	201 885 7550
Ann Lukin	ITS	617 741 4467
Cheryl Saxton	Talbots	202-462-8800
David Swankin	K-MART	404 523 2980
Ellen Anglin	Kmart	972/431-1243
Charles Brown	Kmart	
Deborah Jorgles	Wendt Warberg & Jorgles LLC	
Frances Valdez	JCPenney "FVALDEZ@jpenney.com"	

Date: June 4, 1997 Time: 10:00 am Page 3

Subject: General Wearing Apparel Flammability

Location: CPSC Headquarters - Rm 410

Name	Company	Phone
Patty ADAM	Nat'l Cotton Canal	(202) 745 7805
Howard Tarnoff	CPSC - CAL	301-504-0628 x1382
Myron Meche	National Retail Fed.	202/783-7971
Jim Hamm	The Burton Dept. Store	717/751-3047
Margaret Neely	CPSC/Engineering	(301) 504-0550 x2354
Maude Luera	Federated	212 494 6049
Carlos Perez	US/CPSC/Compliance	301 504-0621
Christine Miller	Federated Dept. Stores	212/494-1650
Lesley Rindoff	ACTS Testing	201 470 2200
Sara Yerkes	NFPA	703-576-4346
Phil Renna	The Limited, Inc.	614-479-7031
Dave Osterman	"	201-622-4444
BOB HONOLD	ARG	212-704-5300
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Jennifer Monte		
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